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FNDSTN.013A

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Stuart C. McClure, et al. )  
App. No. : 10/050,675 )  
Filed : January 15, 2002 )  
For : SYSTEM AND METHOD FOR )  
NETWORK VULNERABILITY )  
DETECTION AND REPORTING )  
Examiner : Unknown )

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION**  
**AND**  
**REVOCATION AND POWER OF ATTORNEY**

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone

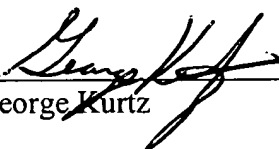
App. No. : 10/050,675  
Filed : January 15, 2002

(949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Foundstone, Inc.

Dated: 6/12/02

By:   
George Kurtz

Title: Chief Executive Officer

Address: 27201 Puerta Real, Suite 400  
Mission Viejo, CA 92691

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PATENT

Application No.: 10/050,675  
Filing Date: January 15, 2002

Client Code: FNDSTN.013A  
Page 1

ASSIGNMENT

WHEREAS, We, Stuart C. McClure, a United States citizen, residing at 7 Welbe Circle, Ladera Ranch, CA 92694, George Kurtz, a United States citizen, residing at 19 Douglass Drive, Coto de Caza, CA 92679, Robin Keir, a United States citizen, residing at 2718 Cipres, Mission Viejo, CA 92692, Marshall A. Beddoe, a United States citizen, residing at 306 Avenida Del Mar #2, San Clemente, CA 92672, Michael J. Morton, a United States citizen, residing at 6260 Via Ribazo, Anaheim Hills, CA 92807, Christopher M. Prosise, a United States citizen, residing at 27815 Tirante, Mission Viejo, CA 92692, David M. Cole, a United States citizen, residing at 8171 Racepoint Drive #206, Huntington Beach, CA 92646 and Christopher Abad, a United States citizen, Residing at 1007 Russia Avenue, San Francisco, CA 94112 have invented certain new and useful improvements in a SYSTEM AND METHOD FOR NETWORK VULNERABILITY DETECTION AND REPORTING for which we have filed an application for Letters Patent in the United States, 10/050,675 January 15, 2002;

AND WHEREAS, Foundstone, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 27201 Puerta Real, Suite 400, Mission Viejo, CA 92691, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

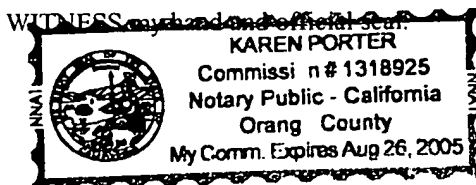
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3<sup>rd</sup> day of June, 2002


  
Stuart C. McClure

STATE OF California }  
COUNTY OF Orange } ss.

On 6/3/02, before me, Karen Porter, personally appeared Stuart C. McClure personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[SEAL]



  
Notary Signature

COPY

COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of May, 2002

George Kurtz  
George Kurtz

STATE OF California

COUNTY OF Orange

ss.

On May 30, 2002, before me, the undersigned notary, personally appeared George Kurtz, ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Kathy Vandersommen  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of MAY, 2002

Robin Keir  
Robin Keir

On May 30, 2002 before me, the undersigned notary, personally appeared Robin Keir, ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Kathy Vandersommen  
Notary Signature

COPY

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 31 day of May, 2002

  
Marshall A. Beddoe


STATE OF California }  
COUNTY OF Orange } ss.

On 5/31/02, before me, Karen Porter, Notary Public, personally appeared Marshall A. Beddoe personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

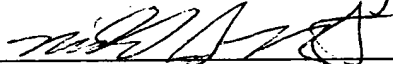
WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of May, 2002

  
Michael J. Morton

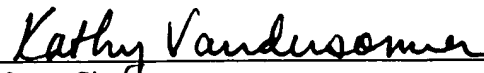
STATE OF California }  
COUNTY OF Orange } ss.

On May 30, 2002 before me, the undersigned notary, personally appeared Michael J. Morton personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

COPY

COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of May, 2002

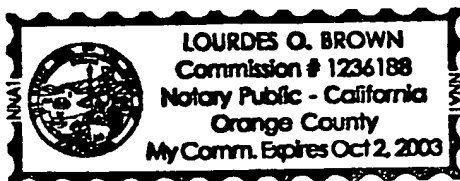
Christopher M. Prosise  
Christopher M. Prosise

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } ss.

On MAY 30, 2002, before me, Louderes O. Brown, personally appeared Christopher M. Prosise ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Louderes O. Brown  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of MAY, 2002

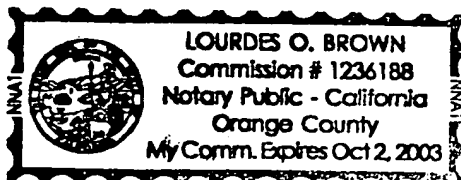
David M. Cole

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } ss.

On MAY 30, 2002, before me, Louderes O. Brown, personally appeared David M. Cole ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Louderes O. Brown  
Notary Signature

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Application No.: 10/050,675  
Filing Date: January 15, 2002

PATENT  
Client Code: FNDSTN.013A  
Page 5

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11 day of June, 2002

Christopher Abad  
Christopher Abad

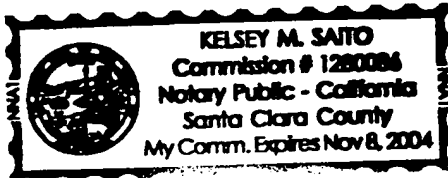
STATE OF CALIFORNIA }  
COUNTY OF SANTA CLARA } ss.

On June 11, 2002, before me, Kelsey Saito, Notary, personally appeared Christopher Abad personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Kelsey Saito  
Notary Signature



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